

### **REMARKS/ARGUMENTS**

Reconsideration of this application is respectfully requested.

In response to the rejection of claims 2, 12-15 and 17-23 under 35 U.S.C. §112, second paragraph, all of the claims have been carefully reviewed and amended above so as to conform to standard US practice. The assertions of grammatical and idiomatic errors is, however, not understood because this document was drafted in England by an English speaking native. It is suspected that commas in the text may not have been entirely legible.

In any event, the claims as amended above are believed to be in full compliance with 35 U.S.C. §112.

The rejection of claims 1-10, 11, 13, 14 and 24 under 35 U.S.C. §103 as allegedly being made "obvious" based on Sciacca '761 in view of Kimball '729 is respectfully traversed.

There is a dichotomy between a procedure for discovery of the configuration of a link and the relationship of that link to the wider network. The latter is concerned with the topology of the network whereas the former is concerned with compatibility of the ports and medium of the link in a physical sense (e.g., are they operating at the maximum speed and full duplex). To better focus the claims in this present application, claims to the trunk discovery and the resilient port aspects (both topological aspects) have been mostly removed from the claims and claim 1 has been limited to the examination for duplex state and operating speed.

In particular, claim 1 has been revised to refer to the remote monitoring of managed devices in a network and the application of a series of interrogations in respect of each of a plurality of ports to determine the duplex state and the operating speed of each port and its associated link.

Neither Sciacca nor Kimball foreshadows such a method. Sciacca is essentially concerned with the problems of achieving an artificial compatibility of network devices which require different commands. Sciacca refers to obtaining configuration information only in general terms. Neither the passage cited by the Examiner (8:55-9”3; 4:52-66) refers to the application of a series of interrogations in respect of a port for any purpose. Sciacca obtains his information from the device configuration database (9:6-31).

the Examiner asserts (on page 3, line 6) that Sciacca applies interrogations “to determine whether the port and associated link conforms to at least one predetermined configuration criterion” – but then concedes (at lines 10 and 11) that Sciacca “does not specifically teach the specific inclusion of port and link information as configuration information”. Only the latter one of these self-contradictory assertions is correct.

Kimball is concerned not with the physical configuration (e.g., duplex working or operating speed) of a link but rather with the overall configuration of a network, i.e., its topology. The Examiner’s entire case in relation to Kimball rests on the curious contention that the reference in the abstract to ‘disabling of redundant ports’ constitutes the accessing of port and link information. However, all Kimball does is to determine which links should be in the network.

The Examiner’s references to claims 2-4 appear to relate to Sciacca. Contrary to the Examiner’s assertions, column 1, lines 35-38 merely refer to different devices, not different ports. Nor do column 4, lines 52-66 of Sciacca support any contention that a series of interrogations are applied for a plurality of ports. Sciacca column 2, lines 15-38 are absolutely silent on the subject of duplex, trunk link speed and resilient links.

In view of the patentable distinctions already noted above with respect to parent claim 1, it is not believed necessary to further discuss the deficiencies of these references with respect to other dependent claims at this time.

The rejection of claim 12 under 35 U.S.C. §103 as allegedly being made “obvious” based on Sciacca/Kimball in further view of Christensen ‘621 is also respectfully traversed.

In view of the fundamental deficiencies of the primary and secondary references already noted above with respect to parent claim 1, it is not believed necessary at this time to further detail the deficiencies of the tertiary reference Christensen with respect to the additional features for which it is now cited.

The rejection of claims 15-18, 22 and 23 under 35 U.S.C. §103 as allegedly being made “obvious” based on Sciacca/Kimball in further view of Wils ‘173 is also respectfully traversed.

Once again, in view of the already noted fundamental deficiencies of the primary and secondary reference with respect to at least parent claim 1, it is not believed necessary at this time to further detail the additional deficiencies of this tertiary reference with respect to the added features for which it has now been cited.

The rejection of claims 19-21 under 35 U.S.C. §103 as allegedly being made “obvious” based on Sciacca/Kimball in further view of Johnson ‘716 is also respectfully traversed. Once again, in view of the fundamental deficiencies of the primary and secondary references vis-à-vis parent claim 1, it is not believed necessary at this time to further detail the deficiencies of this further tertiary reference.

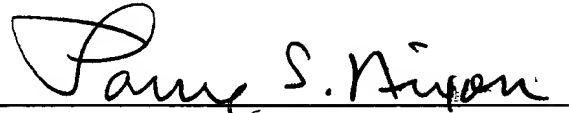
WALKER et al.  
Appl. No. 09/901,010  
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Accordingly, this entire application (now comprising claims 1, 12, 13, 15, 19, 20 and 24) is believed to be in allowable condition and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

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By:

A handwritten signature in black ink, appearing to read "Larry S. Nixon", written over a horizontal line.

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